

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Before the Examiner
Thomas Zdeblick et al.)	Unassigned
)	
Divisional of Serial No. 10/213,864)	Group Art Unit 3738
Filed 08/07/02.)	
)	
Filed: January 23, 2004)	Our Ref.: 4002-3456/PC261.21
)	
METHODS AND INSTRUMENTS)	
FOR INTERBODY FUSION)	

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

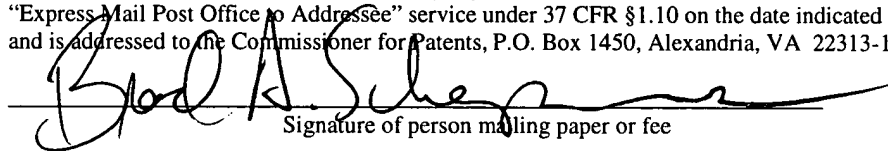
Dear Sir:

Pursuant to the duty of disclosure embodied in 37 C.F.R. § 1.56, Applicants wish to bring to the attention of the Examiner the items of information listed on the enclosed Information Disclosure Citation form. Copies of the items listed in the IDS form are not being provided herewith pursuant to 37 C.F.R. §1.98(d) since they were previously cited by the Examiner or submitted and considered in prior **Patent Application Serial No. 10/213,864**, filed on August 7, 2002, which is being relied upon for an earlier effective filing date under 35 USC §120.

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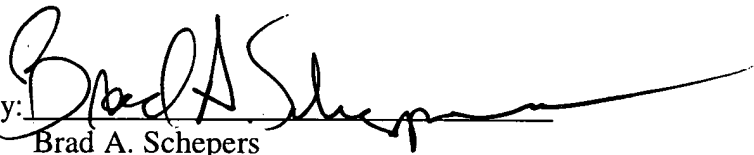

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Information Disclosure Statement
METHODS AND INSTRUMENTS FOR INTERBODY FUSION
Divisional of Application Serial No. 10/213,864
Filed January 23, 2004
Inventor: Thomas Zdeblick et al.
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The filing of this Information Disclosure Statement (IDS) shall not be construed as an admission that the information cited is or is considered to be prior art or material to patentability as defined in § 1.56(b).

This Statement is being submitted under 37 CFR 1.97(b) before the occurrence of one or more of the following: (a) receipt of a First Office Action on the merits, (b) passage of three (3) months from the application filing date, or passage of three (3) months from the date entry of the national stage. Accordingly, it is believed that no fee is due. However, should any fee be required, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted,

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INFORMATION DISCLOSURE CITATION

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(Use several sheets if necessary)

Atty. Docket No.
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Group

U.S. PATENT DOCUMENTS

*Examiner Initial	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	Filing Date If appropriate
	D-377,095	12/1996	Michelson	D24	155	
	D-377,096	12/1996	Michelson	D24	155	
	Re.34,037	08/1992	Inoue et al.	604	93	
	3,486,505	12/1969	Morrison	128	303	
	3,848,601	11/1994	Ma et al.	606	61	
	4,309,777	01/1982	Patil	3	1.91	
	4,349,921	09/1982	Kuntz	623	17.16	
	4,501,269	02/1985	Bagby	606	61	
	4,526,909	07/1985	Urist	523	115	
	4,545,374	10/1985	Jacobson	128	303	
	4,573,448	03/1986	Kambin	128	1	
	4,596,574	06/1986	Urist	623	16	
	4,599,086	07/1986	Doty	623	17	
	4,678,470	07/1987	Nashef et al.	623	16	
	4,714,469	12/1987	Kenna	623	17	
	4,736,738	04/1988	Lipovsek et al.	128	92	
	4,743,256	05/1988	Brantigan	128	898	
	4,743,259	05/1988	Bolander et al.	623	16	

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						Yes	No
	CA 2,015,507	04/1990	Canada	A61F2/44			
	DE 3505567A	06/1986	Germany	A61F2/28			
	DE 4302397A1	01/1992	Germany	A61F2/44			
	EP 0077159	10/1982	Europe	A61B17/00			
	EP 0179695	09/1985	Europe	A61F2/44			
	EP 0307241	03/1989	Europe	A61B17/58			

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	4,759,766	07/1988	Buettner-Janz et al.	623	17	
	4,772,287	09/1988	Ray et al.	623	17	
	4,820,305	04/1989	Harms et al.	623	16.11	
	4,834,757	05/1989	Brantigan	623	17.11	
	4,863,476	09/1989	Shepperd	623	17	
	4,877,020	10/1989	Vich	606	86	
	4,878,915	11/1989	Brantigan	623	17.11	
	4,892,545	01/1990	Day et al.	623	17	
	4,904,261	02/1990	Dove et al.	623	17.16	
	4,917,704	04/1990	Frey et al.	623	17	
	4,932,975	06/1990	Main et al.	623	17	
	4,936,848	06/1990	Bagby	623	17.16	
	4,961,740	10/1990	Ray et al.	606	61	
	5,002,576	03/1991	Fuhrmann et al.	623	17	
	5,015,247	05/1991	Michelson	606	61	
	5,020,519	06/1991	Hayes et al.	128	69	

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						Yes.	No
	EP 0450886A1	03/1991	Europe.	A61M1/00			
	EP 0635246	01/1995	Europe	A61F2/44			
	EP 0637440	08/1995	Europe	A61F2/44			
	EP 0646366	05/1995	Europe	A61F2/44			
	EP 0716840A2	12/1995	Europe	A61F2/44			
	EP 0796593A2	03/1997	Europe	A61B17/16			
	FR 2631539A1	05/1988	France	A61B17/56			
	FR 2710519A1	09/1993	France	A61B17/70			

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	5,030,474	07/1991	Saita et al.	427	2	
	5,055,104	10/1991	Ray	606	61	
	5,062,850	11/1991	MacMillan et al.	623	17	
	5,068,122	11/1991	Kokubo et al.	427	2	
	5,071,437	12/1991	Steffee	623	17	
	5,092,893	03/1992	Smith	623	17	
	5,108,395	04/1992	Laurain	606	61	
	5,128,169	07/1992	Saita et al.	427	2	
	5,147,402	09/1995	Bohler et al.	623	16	
	5,147,404	09/1992	Downey	623	17	
	5,164,187	11/1992	Constantz et al.	424	423	
	5,188,670	02/1993	Constantz	118	667	
	5,192,327	03/1993	Brantigan	623	17.11	
	5,236,456	08/1993	O'Leary et al.	623	16	
	5,236,460	08/1993	Berber	623	17	
	5,279,831	01/1994	Constantz et al.	424	423	

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						Yes	No
	FR 2724312A1	04/1995	France	A61F2/44			
	FR 2727003A1	11/1994	France	A61F2/44			
	FR 2727005A1	11/1994	France	A61F2/44			
	WO 87/07827	12/1987	PCT	A61F2/44			
	WO 90/00037	01/1990	PCT	A61F2/44			
	WO 91/06261	05/1991	PCT	A61F2/44			
	WO 92/14423	09/1992	PCT	A61F2/44			
	WO 94/11040	05/1994	PCT	A61M5/178			

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	5,290,312	03/1994	Kojimoto et al.	623	17.15	
	5,306,307	04/1994	Senter et al.	623	17	
	5,306,309	04/1994	Wagner et al.	623	17	
	5,306,310	04/1994	Siebels	623	17	
	5,330,826	07/1994	Taylor et al.	428	216	
	5,338,433	08/1994	Maybee et al.	205	178	
	5,344,654	09/1994	Rueger et al.	424	423	
	5,348,026	09/1994	Davidson	128	898	
	5,360,430	11/1994	Lin	606	61	
	5,397,364	03/1995	Kozak et al.	623	17	
	5,405,391	04/1995	Hednerson et al.	623	17.15	
	5,417,975	05/1995	Lussi et al.	424	423	
	5,423,816	06/1995	Lin	606	61	
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	5,425,769	06/1995	Snyders, Jr.	623	16	

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						Yes	No
	WO 94/26893	11/1994	PCT	C12N15/12			
	WO 95/08306	03/1995	PCT	A61F2/44			
	WO 95/15133	06/1995	PCT	A61F2/44			
	WO 96/22747	08/1996	PCT	A61F2/44			
	WO 96/27321	02/1996	PCT	A61B			
	WO 96/27345	09/1996	PCT	A61F			
	WO 96/40016	12/1996	PCT	A61F2/44			
	WO 97/20526	06/1997	PCT	A61F2/44			

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	5,431,658	07/1995	Moskovich	606	99	
	5,439,464	08/1995	Shapiro	606	83	
	5,439,684	08/1995	Prewett et al.	424	422	
	5,443,514	08/1995	Steffee	128	898	
	5,443,515	08/1995	Cohen et al.	623	17	
	5,455,231	10/1995	Constantz et al.	514	21	
	5,458,638	10/1995	Kuslich et al.	623	17.11	
	5,464,439	11/1995	Gendler	623	16	
	5,484,437	01/1996	Michelson	606	61	
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	5,507,813	04/1996	Dowd et al.	623	16	
	5,510,396	04/1996	Prewett et al.	523	113	
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	WO 97/30666	08/1997	PCT	A61F2/46			
	WO 97/31517	08/1997	PCT	J16B37/14			
	WO 95/26164	10/1995	PCT	A61B 17/70			

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		5,549,612	08/1996	Yapp et al.	606	69	
		5,562,736	10/1996	Ray et al.	623	17	
		5,585,116	12/1996	Boniface et al.	424	549	
		5,591,235	01/1997	Kuslich	606	61	
		5,593,409	01/1997	Michelson	606	61	
		5,601,556	02/1997	Pisharodi	606	61	
		5,609,635	03/1997	Michelson	623	17	
		5,609,636	03/1997	Kohrs et al.	623	17.16	
		5,645,591	07/1997	Kuberasampath et al.	623	16	
		5,645,598	07/1997	Brosnahan, III	623	17	
		5,646,084	07/1997	Patton et al.	502	152	
		5,647,872	07/1997	Gilbert et al.	606	61	
		5,658,285	08/1997	Marnay et al.	606	61	
		5,669,909	09/1997	Zdeblick et al.	606	61	
		5,676,666	10/1997	Oxland et al.	606	61	
		5,681,311	10/1997	Foley et al.	606	61	

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004002-003456.BAS.kkb.261626

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	5,683,394	11/1997	Rinner	606	86	
	5,683,463	11/1997	Godefroy et al.	623	17	
	5,697,889	12/1997	Slotman et al.	600	204	
	5,741,253	04/1998	Michelson	606	61	
	5,766,252	06/1998	Henry et al.	623	17	
	5,766,253	07/1998	Brosnahan, III	623	17	
	5,797,909	08/1998	Michelson	606	61	
	5,888,224	03/1999	Beckers et al.	623	17	
	5,941,880	08/1999	Errico et al.	606	61	
	6,042,582	03/2000	Ray	606	61	
	6,066,175	05/2000	Henderson et al.	623	17.11	
	6,149,686	11/2000	Kuslich et al.	623	17.11	
	6,342,074	01/2002	Simpson	623	17.11	

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